

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Tahreem Khan	Team: Squad #11	CCRB Case #: 202004035	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 06/02/2020 9:00 PM	Location of Incident: Manhattan Bridge Southbound Lane Manhattan side	Precinct: 05	18 Mo. SOL 12/2/2021	EO SOL 5/4/2022	
Date/Time CV Reported Fri, 06/05/2020 7:19 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Fri, 06/05/2020 7:19 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. An officer			

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Abuse: An officer threatened individuals with the use of force.	[REDACTED]

Case Summary

On June 5, 2020, § 87(2)(b) filed this complaint with the CCRB via the agency's website.

On June 2, 2020 at approximately 9 p.m., § 87(2)(b) and his friend § 87(2)(b) were on the Manhattan Bridge marching with other unknown civilians from the Brooklyn side to the Manhattan side. After reaching the Manhattan side of the bridge, the demonstrators were met with barricades. § 87(2)(b) had climbed onto the maintenance platform that was on the bridge and stood on the far side of that platform, looking towards the Brooklyn side of the bridge. He saw an unidentified officer driving a marked NYPD SUV from the Brooklyn side towards the Manhattan, traveling at approximately 50 miles per hour towards a group of 15 to 20 protesters without slowing down, causing the demonstrators to jump out of the way. As § 87(2)(b) was unable to see the officer inside of the vehicle, it is unknown whether this officer was a male or female. The officer drove the police vehicle until it reached the barricades, stopped for a minute allowing the demonstrators to return back to where they were standing, and once more resumed speeding the vehicle back towards Brooklyn at, yet again causing the demonstrators to jump out of the way to avoid getting hit by the police vehicle (**Allegation A: Abuse of Authority, § 87(2)(g)**).

No arrests or summonses were issued related to this incident.

Body-worn camera (BWC) results were negative, as indicated by the NYPD Legal Bureau (Board Review 1).

The NYPD's Technical Assistance Response Unit (TARU) was only able to locate handheld footage covering our incident location at the time of the incident. These two videos were shot at the Manhattan Bridge (Board Review 2 – 3), however, do not capture the alleged incident. Given that this incident occurred on the Manhattan Bridge, there were no other nearby sources of video that may have captured this incident.

Findings and Recommendations

Allegation (A) Abuse of Authority: An officer threatened individuals with the use of force.

Known Facts and General Descriptions

After meeting the barricades on the Manhattan side of the bridge, about 15 to 20 demonstrators crossed over three lanes onto the Brooklyn-bound side with two lanes and walked around there. § 87(2)(b) described (Board Review 4) the Brooklyn-bound lanes to be on the left-hand side if someone were standing on the bridge facing Manhattan. § 87(2)(b) climbed onto the maintenance platform, stood on the far side of that platform, close to the concrete wall, and looked towards the Brooklyn side of the bridge. After walking along this platform for about 30 minutes, § 87(2)(b) saw an unknown officer driving a marked NYPD SUV, located about 100 yards away from where he was located, from the Brooklyn side towards Manhattan at "highway speeds"—approximately 50 miles per hour—towards the group of 15 to 20 demonstrators without slowing down. § 87(2)(b) stood approximately 200 yards away from the police barricades on the Manhattan side of the bridge, and approximately 20 feet away from the arch on the bridge. § 87(2)(b) was not able to see the gender of this officer or if they were uniformed. The SUV's lights flashed, but no officer issued any commands over the loudspeaker. As the police vehicle approached at full speed, the unknown officer swerved slightly, possibly to dodge some demonstrators. The demonstrators jumped in all directions, over the walls that were located on both sides of the lane, to avoid impact

with the SUV. The police vehicle drove at the same speed until it reached the barricade, when the officer turned the vehicle around and stopped for a minute. § 87(2)(b) assumed that the officer in the vehicle waited long enough to allow some people, who were confused and had their hands up, to walk into the lane again. The officer then resumed speeding the vehicle back towards the Brooklyn side of the bridge at approximately the same speed that it had come. Once again, the remaining demonstrators, who were fewer than the initial 15 to 20 individuals, jumped out of the way to dodge the police vehicle. § 87(2)(b) speculated that the officer probably got orders to go back to Brooklyn. To § 87(2)(b)'s knowledge, no one was injured. He did not have or know of anyone with video footage of this incident.

Like § 87(2)(b) § 87(2)(b) also stood on the elevated median towards the center of the Manhattan bridge and remained there for the duration of the incident (Board Review 5). The entrance into Manhattan seemed to be blocked by the police. She saw two groups of demonstrators on the Manhattan side of the bridge: one was on the southbound lane and one was on the northbound lane. The group on the southbound lane consisted of approximately 10 to 15 demonstrators. From the Brooklyn side of the bridge, § 87(2)(b) heard yelling, "Get out of the way!" She saw that there was possibly another group of demonstrators on the Brooklyn end of the bridge and soon became aware of an unknown officer driving a marked NYPD SUV that was speeding, possibly going 80 miles per hour, from the Brooklyn side of the bridge towards the Manhattan side. The officer drove the SUV towards the group of demonstrators in the southbound lane, all of whom jumped out of the way. The officer then turned the vehicle around and drove back towards Brooklyn. The demonstrators were kept on the bridge till approximately 11 p.m.

Neither § 87(2)(b) nor § 87(2)(b) were able to see any officers inside of the vehicle, recall the license plate number, or a number on the police vehicle itself as the incident took place so quickly.

BWC

One request for BWC footage was met with negative results by the NYPD (Board Review 1) The search parameters covered all videos recorded within the 5th Precinct, with additional checks of Critical Response Command, Counter Terrorism, Narcotics, Lower Manhattan Security Initiative, World Trade Center Command, Citywide Strategic Response Group (SRG), Disorder Control Unit, and Combat Auto Theft Program (CAT) at 9 p.m. on June 2, 2020 and returned five non-responsive videos.

NYPD Documents Reviewed

To identify the subject officer, the undersigned requested the unfinalized Automated Roll Call System (ARCS) from Tour 3 of the 5th Precinct on the incident date (Board Review 6). While the ARCS stated that a few officers were assigned to a Detail and Floyd Demonstrations, it did not provide the location where those officers were assigned.

The investigation also requested Event information for any incidents occurring on the Manhattan Bridge between 7 p.m. through 10:30 p.m. (Board Review 7). The Event Chronology provided five Events that may have been related to this incident: #D20060227167, #D20060227157, #D20060227256, #D20060227315, and #D20060227448 (Board Review 9 – 13). These Events mentioned demonstrators at the Manhattan Bridge, but none of them mentioned a police vehicle driving towards demonstrators on either side of the Manhattan Bridge (Board Review

8 – 13).

CCRB received a detail roster from Patrol Borough Manhattan South on June 2, 2020 for case 202003834 (Board Review 14), however, this detail roster only listed the protest detail for East 14th Street Union Square in Manhattan. This roster did not provide any coverage for the Manhattan Bridge.

On June 25, 2020, Huascar Robles, Director, Community Affairs for the Division of Bridges for the New York City Department of Transportation (DOT) informed the CCRB that any surveillance cameras located within the Manhattan Bridge would not be monitored by DOT personnel. He indicated that these would be monitored by the NYPD.

On December 7, 2020, the NYPD Inspector General's office at the NYC Department of Investigation confirmed that they did not possess any video footage related to the Manhattan Bridge on the incident date.

TARU footage sent by the NYPD on January 26, 2021 provided two handheld videos: one that was 4 minutes and 31 seconds long (Board Review 2), and the other which was 2 minutes and 33 seconds long (Board Review 3). Neither of the videos appeared to be related to this incident as the first video took place on the street across from nearby stores and the second appears to take place on the Manhattan Bridge, but only shows police interactions with detained individuals. Neither of the videos show demonstrators standing on the Manhattan Bridge or any marked NYPD SUV moving on the bridge.

On July 8, 2020 and July 13, 2020, the undersigned searched several social media sites for any video footage related to this event. The searches provided negative results related to this incident.

On July 8, 2020, the investigation conducted searches of different search engines to find any media coverage but was unable to find any related to this incident.

Concurrent Investigations

On September 3, 2020, Sergeant Salvatore Desiano of the NYPD-CCRB Liaison Unit confirmed that a complaint was never filed with IAB regarding a police vehicle driving towards a crowd of demonstrators at the Manhattan Bridge on the incident date.

Ranking Officers and Officers Interviewed

No officers were confirmed to be on scene at the time of this incident due to lack of documentation related to this specific incident, unavailable relevant video evidence, and the lack of any identifiable information on the unknown officer driving the NYPD SUV and details regarding the vehicle itself. § 87(2)(g)

Allegation Recitation and Disposition

Both § 87(2)(b) and § 87(2)(b) both noted that there were demonstrators present on the Manhattan Bridge when they saw an unknown officer in the marked NYPD SUV speedily approaching the group of demonstrators from the Brooklyn side of the bridge. As the operator did not slow down the vehicle, the demonstrators had to jump out of the way to avoid being hurt. After the SUV reached the police barricade on the Manhattan side, the driver turned the vehicle around, waited a minute, and drove back towards the Brooklyn side.

Neither § 87(2)(b) nor § 87(2)(b) were able to see the unidentified officer operating the

SUV. Additionally, they were unable to recall any other details about the SUV besides it being a marked NYPD vehicle.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) or § 87(2)(b) have been party (Board Review 15 – 16).

Mediation, Civil and Criminal Histories

- This case was not eligible for mediation.
- As of February 17, 2021, there is no record of any Notices of Claim being filed with the Office of the New York City Comptroller related to this incident (Board Review 19).
- § 87(2)(b)

Squad No.: 11

Investigator: Tahreem Khan Inv. Tahreem Khan February 17, 2021
Signature Print Title & Name Date

Squad Leader: Edwin Pena IM Edwin Pena 02/17/21
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date